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IV#2308834



COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

ADMINISTRATIVE
INVESTIGATIVE SUMMARY

DATE / TIME: August 24, 2011 / 2234 hours

LOCATION: [redacted]
[redacted] South Normandie Avenue
Torrance, California 90502

IAB #: **IV2308834**

SUBJECTS: Nicoles, James [redacted]
Deputy Sheriff Generalist
Carson Station/FORII

Love, Brandon [redacted]
Deputy Sheriff Generalist
Carson Station/FORII

ALLEGATION

It is alleged that Subject Nicoles and Subject Love submitted an arrest report that contained false and/or inaccurate information and that Subject Nicoles provided false testimony at the preliminary hearing for the person whom they arrested ([redacted]).

INCIDENT SYNOPSIS

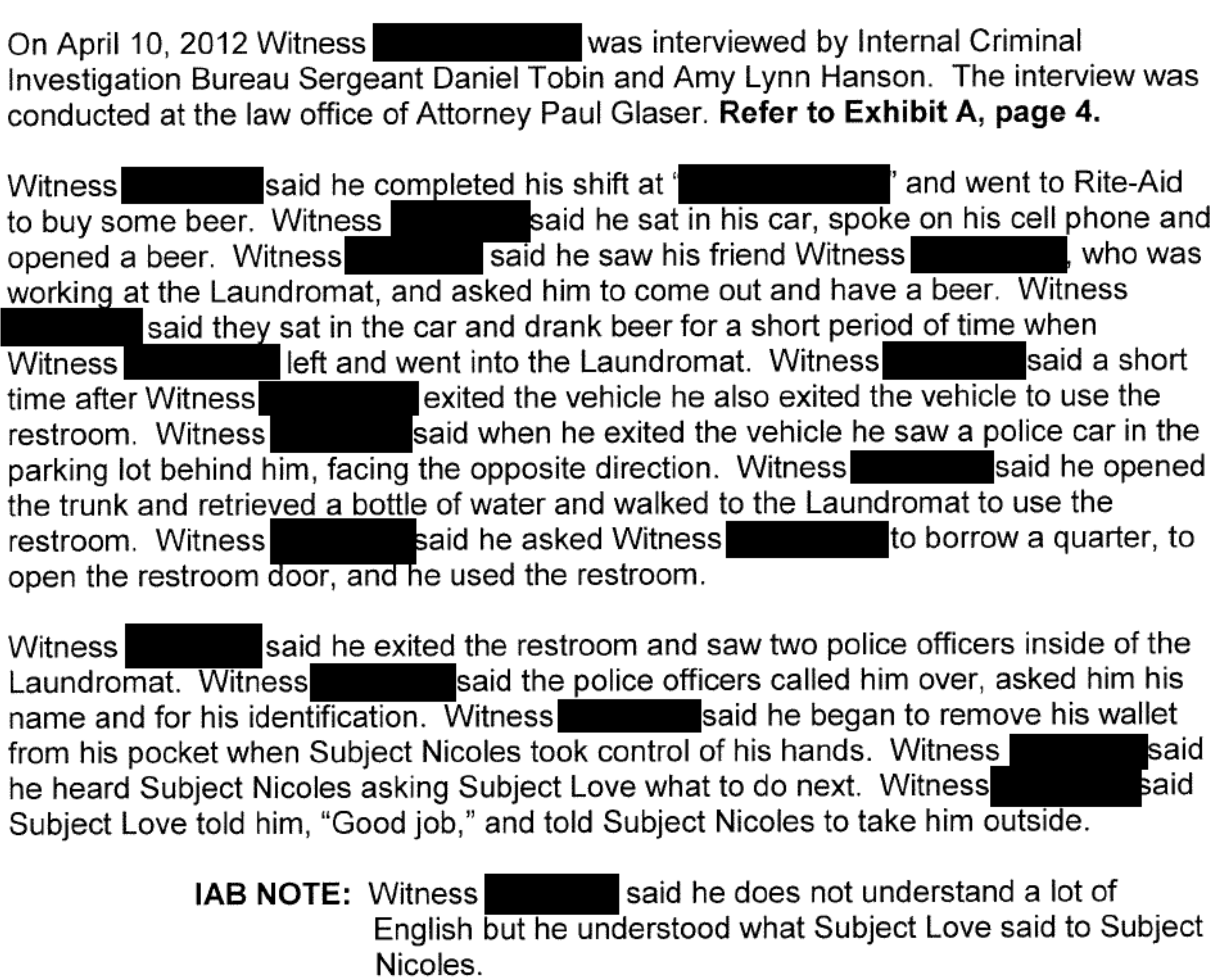
On August 24, 2011, Subject Love and Subject Nicoles arrested [redacted] for drinking in public and drug possession. Subject Nicoles wrote the arrest report. On August 26, 2011, a felony complaint was filed against [redacted] for possession of cocaine. On January 10, 2012, in Los Angeles Superior Court Subject Nicoles testified consistent with the facts as documented in the report, and that the report was true and accurate. [redacted] was held to answer. On February 8, 2012, [redacted] defense attorney notified the District Attorney's Office regarding the existence of a video that he said contradicted the report and testimony. As a result, Subject Nicoles and Subject

Love became the subject of a criminal investigation for False Statements in a Crime Report and Perjury (Nicoles only), which was submitted to the Los Angeles County District Attorney's Office. On February 22, 2013, the District Attorney's Office declined to file charges.

This is a summary based on statements given during audio recorded interviews by the Deputy and witnesses. For complete and detailed statements refer to the digital audio recorded files and the verbatim transcripts, which are included in this investigation.

WITNESS INTERVIEWS

<u>WITNESS [redacted]</u>



On April 10, 2012 Witness [redacted] was interviewed by Internal Criminal Investigation Bureau Sergeant Daniel Tobin and Amy Lynn Hanson. The interview was conducted at the law office of Attorney Paul Glaser. **Refer to Exhibit A, page 4.**

Witness [redacted] said he completed his shift at "[redacted]" and went to Rite-Aid to buy some beer. Witness [redacted] said he sat in his car, spoke on his cell phone and opened a beer. Witness [redacted] said he saw his friend Witness [redacted], who was working at the Laundromat, and asked him to come out and have a beer. Witness [redacted] said they sat in the car and drank beer for a short period of time when Witness [redacted] left and went into the Laundromat. Witness [redacted] said a short time after Witness [redacted] exited the vehicle he also exited the vehicle to use the restroom. Witness [redacted] said when he exited the vehicle he saw a police car in the parking lot behind him, facing the opposite direction. Witness [redacted] said he opened the trunk and retrieved a bottle of water and walked to the Laundromat to use the restroom. Witness [redacted] said he asked Witness [redacted] to borrow a quarter, to open the restroom door, and he used the restroom.

Witness [redacted] said he exited the restroom and saw two police officers inside of the Laundromat. Witness [redacted] said the police officers called him over, asked him his name and for his identification. Witness [redacted] said he began to remove his wallet from his pocket when Subject Nicoles took control of his hands. Witness [redacted] said he heard Subject Nicoles asking Subject Love what to do next. Witness [redacted] said Subject Love told him, "Good job," and told Subject Nicoles to take him outside.

> **IAB NOTE:** Witness [redacted] said he does not understand a lot of English but he understood what Subject Love said to Subject Nicoles.

Witness [redacted] said when they were outside he was instructed to place his hands on the hood of the police car. Witness [redacted] said he was searched, arrested and placed in the back seat of the police car. Witness [redacted] said while he was seated in the police car the deputies went into his car and retrieved the beer can that he was drinking from. Witness [redacted] said he saw the deputies talking amongst themselves but he could not understand what they were saying.

Sergeant Tobin asked Witness [redacted] if the deputies had him exit the vehicle prior to his arrest. Witness [redacted] said the police never took him out of the vehicle.

On August 19, 2013 Witness [redacted] was interviewed by Internal Affairs Bureau Sergeant David Ladjevic and Sergeant Romeo Ingreso. The interview was conducted at Carson Sheriff Station and was digitally audio recorded. The interview was conducted in English and interpreted into Spanish by Witness [redacted] wife [redacted].

Witness [redacted] said he was sitting in his car at the location for approximately five minutes when he saw the police car parked with the lights off. Witness [redacted] said he exited his vehicle and entered the Laundromat to use the restroom. Witness [redacted] said when he exited the restroom he was contacted by the deputies. Witness [redacted] said while at the front of the police car he heard the deputies talking amongst themselves but he did not understand what they were saying. Witness [redacted] said the deputies talked to each other while they were driving and he believed one of the deputies was the "boss." Witness [redacted] was asked which deputy he believed was the "boss." Witness [redacted] said, "The African-American," (Subject Love). Witness [redacted] said he understood what the deputies said on one occasion. Witness [redacted] said he heard one of the deputies say, "It wasn't going to be your night." Witness [redacted] said this was the only thing he understood when the deputies were talking.

WITNESS [redacted]

On June 5, 2012 at 1527 hours, Witness [redacted] was interviewed by Internal Criminal Investigations Bureau Sergeant Daniel Tobin and Sergeant Amy Lynn Hanson. The interview was summarized by Sergeant Hanson and is included in **Exhibit A, pages 5- 6.**

Witness [redacted] said he was working at the "[redacted]" on the date of the incident and was checking the parking lot for laundry carts. Witness [redacted] said he saw Witness [redacted] walking to his car and they began talking. Witness [redacted] said they entered Witness [redacted] car and were going to drink a beer when they saw a patrol car approaching.

IAB NOTE: According to Witness [redacted] they were in the car for approximately three minutes prior to exiting the vehicle.

Witness [redacted] said he exited the vehicle prior to drinking the beer and returned to the Laundromat to complete his work. Witness [redacted] said Witness [redacted] also exited the vehicle and went into the Laundromat to use the restroom. Witness [redacted] said Witness [redacted] asked him for a quarter to use the restroom.

IAB NOTE: The door to the restroom is coin operated.

Witness [redacted] said he gave Witness [redacted] a quarter and Witness [redacted] entered the restroom. Witness [redacted] said two police officers entered the Laundromat and asked him if he worked at the Laundromat to which he replied, "Yes." Witness [redacted] said the police officers asked him where his friend (Witness [redacted]) went. Witness [redacted] told the police officers Witness [redacted] was in the restroom.

Witness [redacted] said when Witness [redacted] exited the restroom he walked toward the east end of the Laundromat where the police officers contacted him. He said the police officers placed Witness [redacted] hands behind his back and escorted him out of the Laundromat. Witness [redacted] said he could not hear the conversation the deputies were having with Witness [redacted] prior to escorting him outside. Witness [redacted] said he looked out of the window and saw one of the deputies searching Witness [redacted] Witness [redacted] said he saw Witness [redacted] being placed into the backseat of the police car. Witness [redacted] did not see anything further.

SUBJECT INTERVIEW

SUBJECT JAMES NICOLES [redacted]

On March 12, 2013 Subject James Nicoles was interviewed by Internal Affairs Bureau Sergeant David Ladjevic and Sergeant Carlos Flores. The interview was conducted at Internal Affairs Bureau and was digitally audio recorded. Subject Nicoles was represented by Attorney Richard Shinee.

Subject Nicoles said on August 24, 2011 he was assigned to Carson Station and was beginning his [redacted] and his [redacted] was Deputy Brandon Love. Deputy Nicoles said he worked with Deputy Love, "a few nights."

IAB NOTE: Subject Love was recently assigned as Subject Nicoles' [redacted] On the night of the incident they worked together two days.

Subject Nicoles said they were patrolling the area of [redacted] Normandie Avenue Torrance, when they conducted a license plate check of a vehicle parked in the parking lot of the [redacted]' Subject Nicoles said when he conducted the license plate check via the Mobile Digital Terminal (MDT) he did not see any occupants in the vehicle. Subject Nicoles said the vehicle returned registered to [redacted] with an address of [redacted] **Refer to Exhibit A, page 11.** Subject Nicoles said Subject Love told him to run the address for warrants. Subject Nicoles said the address returned with several warrants. **Refer to Exhibit B,** for the Unit History Report.

Subject Nicoles said once they received the return and saw the warrants to the address they exited the radio car and entered the Laundromat. Subject Nicoles said when they entered the Laundromat they spoke with an employee, Witness [redacted].

> **IAB NOTE:** Due to the late hour, the Laundromat was the only business that was open and occupied.

Subject Nicoles asked Witness [redacted] who the vehicle in the parking lot belonged too. Subject Nicoles said Witness [redacted] pointed to the restroom, and after a few minutes a male exited the restroom. Subject Nicoles contacted the male, Witness [redacted], and asked him if his name was [redacted]. Witness [redacted] said, "Yes." Subject Nicoles said they escorted Witness [redacted] from the Laundromat to their radio car.

Subject Nicoles said when they arrived at the radio car he again asked Witness [redacted] if his name was [redacted]. Witness [redacted] again said, "Yes." Subject Nicoles said, while he was speaking with Witness [redacted] he asked him if he was on probation or parole. Witness [redacted] said, "No." Subject Nicoles asked Witness [redacted] if he had anything illegal on him. Witness [redacted] told him he did not have anything illegal on him. Subject Nicoles asked Witness [redacted] if it would be okay if he searched him. Witness [redacted] said, "Yes." Subject Nicoles conducted a search of Witness [redacted] and retrieved two bindles of Cocaine, one from his rear pant pocket and one from his front pant pocket.

> **IAB NOTE:** The conversation between Subject Nicoles and both witnesses was conducted in English.

Subject Nicoles said he arrested Witness [redacted] and placed him in the rear seat of the patrol car. Subject Nicoles said Subject Love asked him how he would write the report. Subject Nicoles told Subject Love he would write it the way that it occurred and began describing how he would write it. Subject Nicoles said Subject Love stopped him and said, "We are gonna have to do this differently."

> **IAB NOTE:** Subject Nicoles said the conversation regarding the report

writing took place in the field next to the patrol car.

Subject Nicoles said they left the location and drove to the station where he completed the booking of Witness [redacted]

Subject Nicoles said he did not recall exactly when he completed writing the report but he believed it was toward the end of their shift. Subject Nicoles said he recalled Subject Love sitting with him and dictating the report. Subject Nicoles said when the report was completed Subject Love read the report and approved it prior to him turning it in to the Watch Sergeant. Subject Nicoles said he turned the report in, and waited for it to be approved by the Watch Sergeant prior to leaving the station.

Subject Nicoles said he received a subpoena for the Preliminary Hearing which was set for January 10, 2012. Subject Nicoles said he did not recognize the case until he retrieved a copy of the arrest report. **Refer to Exhibit A page 8**, for the arrest report.

Subject Nicoles said during the Preliminary Hearing he was called as a witness and sworn in. Subject Nicoles said he was questioned regarding the arrest and the contents of his report, by the District Attorney and cross examined by Defense Attorney Jay Glaser. **REFER to EXHIBIT A page 15**, for the Court Transcripts of Subject Nicoles' testimony.

IAB NOTE: District Attorney Tapti Patel was supervising Certified Clerk Min-Kuk Song during the Preliminary Hearing.

Subject Nicoles said he testified to the contents of the report even though he knew the report was not accurate. Subject Nicoles said he understood that he had to testify to what was written on the report even if it wasn't true. Subject Nicoles said he did not notify anyone regarding the inaccurate statements because he did not know who to notify.

Subject Nicoles said he did not contest Subject Love's version of the arrest because he believed he would [redacted] Subject Nicoles said it was understood that if you go against your [redacted] you would not successfully complete the [redacted]

SUBJECT BRANDON LOVE

On April 22, 2013 Subject Brandon Love was interviewed by Internal Affairs Bureau Sergeant David Ladjevic and Sergeant Carlos Flores. The interview was conducted at Internal Affairs Bureau and was digitally audio recorded. Subject Love was represented by Attorney Bill Hadden.

Subject Love said on August 24, 2011 he was assigned to Carson Station as a [redacted] Subject Love said he was a newly assigned [redacted] and his first [redacted] was Subject Nicoles.

> **IAB NOTE:** Subject Love was a [redacted] for three days on the date of the incident.

Subject Love said at approximately 2234 hours they were patrolling the area of [redacted] South Normandie Avenue, [redacted] Subject Love said they were driving in the parking lot and running license plates. Subject Love said they stopped behind a vehicle and saw two individuals inside of the vehicle talking. Subject Love said he asked Subject Nicoles to run the plate of the vehicle. Subject Love said while waiting for the return he saw the driver drinking from an unspecified beverage can.

> **IAB NOTE:** The vehicle registration returned to [redacted] with an address of [redacted]

Subject Love asked Subject Nicoles to run the address on the return. Subject Love said while waiting for the return Witness [redacted] and Witness [redacted] exited the vehicle and entered the Laundromat. Subject Love said there were several warrants to the address and they exited the patrol car in order to contact the individuals in the Laundromat.

Subject Love said they entered the Laundromat and contacted a person who he believed was an employee, Witness [redacted]. Subject Love said Subject Nicoles contacted Witness [redacted] however he did not recall what his actions were during the contact. Subject Love said they escorted Witness [redacted] out of the Laundromat and placed him near the front of their patrol vehicle. Subject Love said he remained next to Witness [redacted] while Subject Nicoles was inside the patrol vehicle using the Mobile Digital Terminal attempting to confirm Witness [redacted] identity.

Subject Love said Subject Nicoles exited the patrol vehicle and walked to Witness [redacted] vehicle and saw an open container of beer in the center console. Subject Love said once Subject Nicoles pointed out the open container of beer they arrested Witness [redacted] for drinking in public. Subject Love said Subject Nicoles conducted a search of Witness [redacted] incident to arrest and retrieved two bindles of cocaine from Witness [redacted] pant pockets.

Subject Love said after arresting Witness [redacted] he spoke with Subject Nicoles. He asked Subject Nicoles if he was "comfortable" writing the report and, and he asked Subject Nicoles to give him a brief synopsis of the arrest. Subject Love said Subject Nicoles gave him a synopsis however he did not recall his exact words. Subject Love

said he recalls giving him suggestions about what to write but did not dictate the report to him.

Subject Love said he did not recall when Subject Nicoles completed the report nor did he recall reviewing the report prior to Subject Nicoles turning the report in for approval. Subject Love said if he did review the report he did a "piss" poor job because the way it is written is not the way the incident occurred. Subject Love said there was no reason to change the report because they had plenty of probable cause to detain Witness [redacted]

Subject Love said he did not tell Subject Nicoles to write the report the way it is written nor did he dictate the report to Subject Nicoles.

REVIEW OF VIDEO RECORDING

The incident was recorded via a surveillance camera system inside of the [redacted] The video was reviewed by Internal Affairs Bureau Investigator Sergeant Ladjevic. The surveillance video was approximately six minutes in length.

On the video it appears that Witness [redacted] enters the location at 22:22:58 hours and Witness [redacted] enters at 22:23:20 hours. It appears Witness [redacted] gives Witness [redacted] an unknown object at 22:23:26 hours.

> **IAB NOTE:** Witness [redacted] obtained a quarter from Witness [redacted] to open the restroom door.

On the video it appears Witness [redacted] enters the restroom at 22:23:45 hours and exits the restroom at 22:24:17 hours. It appears Subject Nicoles and Subject Love entered the Laundromat at 22:24:07 hours. It appears Subject Nicoles and Subject Love contacted Witness [redacted] at 22:24:14 hours. On the video it appears Subject Nicoles contacted Witness [redacted] at 22:24:26 hours. On the video it appears Subject Nicoles and Subject Love escorted Witness [redacted] out of Laundromat 22:25:05 hours.



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



October 15, 2013

Deputy Brandon Love, #[redacted]

Dear Deputy Love:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business November 5, 2013.

An investigation under IAB File Number IV2308834, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/030.05, General Behavior, on or about August 24, 2011, you failed to perform to the standards established for your rank as a patrol trained deputy sheriff and/or [redacted] when you failed to ensure that accurate statements and an account of the arrest of [redacted] were properly recorded in an arrest report documented by your [redacted] Deputy James Nicoles, (Sheriff's Uniform Report Number 911-08976-1696-181), and/or caused false and/or inaccurate information to be documented in the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181), and/or failed to review and/or correct the work product of your [redacted] Deputy James Nicoles, as evidenced by, but not limited to:

   a. stating to Deputy James Nicoles that "we are going to have to do this differently," and/or words to that effect; and/or,

b. directing Deputy James Nicoles to document in his arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) that [redacted] was contacted at his vehicle and ordered to exit his vehicle, and/or words to that effect; and/or,

c. stating in your administrative interview that [redacted] was contacted in the laundromat, and/or words to that effect; and/or,

d. stating that Deputy James Nicoles brought it to your attention that there was an open container of alcohol in [redacted] vehicle, and/or words to that effect; and/or,

e. stating that [redacted] was searched incident to an arrest, and/or words to that effect; and/or,

f. stating in your administrative interview that you provided Deputy James Nicoles with suggestions before Deputy James Nicoles wrote the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) documenting the arrest of [redacted] and/or words to that effect; and/or,

g. stating in your administrative interview that you did not tell Deputy James Nicoles to write his report (Sheriff's Uniform Report Number 911-08976-1696-181) the way it is written and you did not dictate the report to Deputy James Nicoles, and/or words to that effect; and/or,

h. admitting in your administrative interview that you failed as Deputy James Nicoles' supervisor and you failed at doing your job as a [redacted] and/or words to that effect; and/or,

i. admitting in your administrative interview that you failed to appropriately review Deputy James Nicoles' report, and ensuring that the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) was accurate and written properly, and/or words to that effect. Your failure to review Deputy James Nicoles' report resulted in Deputy James Nicoles submitting an arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) which Deputy James Nicoles admitted contained false and inaccurate information and which Deputy James Nicoles testified to as being true and accurate in Los Angeles Superior Court (case #TA119667) on January 10, 2012. As a result, both you and Deputy James Nicoles became the subject of a

criminal investigation for False Statements in a Crime Report (118.1 PC) and Deputy James Nicoles also for Perjury (118 PC), which was submitted to the Los Angeles County District Attorney's Office (Sheriff's Uniform Report Number 912-00037-2003-441).

Your conduct did not conform to the Core Values of the Department as you failed to exercise integrity, conduct your duties honorably, and/or apply wisdom while performing your duties as expected of law enforcement personnel. Your conduct brought undue embarrassment and/or damaged the reputation of the Department in that court officers and the District Attorney's Office became aware of the false information in the arrest report (Sheriff's Uniform Report Number 912-00037-2003-441) and Deputy James Nicoles' false testimony. You brought discredit to yourself and/or the Department.

2. That in violation of the Department's Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations on or about, April 22, 2013, you failed to make full, complete, and truthful statements during your internal interview as evidenced by, but not limited to:

   a. stating that you did not tell Deputy James Nicoles to write his report (Sheriff's Uniform Report Number 911-08976-1696-181) the way it is written and you did not dictate the report to Deputy James Nicoles, and/or words to that effect; and/or,

   b. stating "No, I don't believe so," when asked if you searched [redacted] vehicle and/or words to that effect; and/or,

   c. stating that Deputy James Nicoles brought it to your attention that there was an open container of alcohol in [redacted] vehicle, and/or words to that effect; and/or,

   d. stating that [redacted] was searched incident to an arrest, and/or words to that effect.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Michael Rothans, on November 5, 2013, at 0900 hours, in his office, which is located at 4700 Ramona Boulevard, Monterey Park, California 91754. If you are unable

to appear at the scheduled time and wish to schedule some other time prior to November 5, 2013, for your oral response, please call Chief Rothans' secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Rothans' secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Rothans' office by no later than November 5, 2013.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault

Alicia E. Ault, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

AEA:PMP:cj

c: Advocacy Unit
Employee Relations Unit
Chief Michael J. Rothans, South Patrol Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2308834)



In the discharge matter of Brandon Love, Employee No. [redacted] and the Los Angeles County Sheriff's Department	)))))))	**IAB No. IV2308834** **SETTLEMENT AGREEMENT & RELEASE**

PRELIMINARY STATEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department (hereinafter referred to as "Department") and Deputy Brandon Love (hereinafter referred to as "Love").

RECITALS

The Department and Love are parties to the above-referenced matter and desire to avoid litigation, and to settle all disputes and issues in said matter upon the terms and conditions hereinafter set forth.

NOW AND THEREFORE, the Department and Love for and in consideration of the mutual covenants herein, agree as follows:

1. Upon execution of this Agreement, the Department will reduce the intended discharge to a fifteen (15) day suspension. Deputy Love agrees that he will abide by all the conditions set forth and contained within this Settlement Agreement.

2. Deputy Love acknowledges and understands that he will also be removed from his Bonus I position and he will be transferred to another patrol station within his current Division as a Deputy Sheriff Generalist.

3. Further, the Department will issue Deputy Love a Letter of Imposition reflecting Charge #1 as follows:

    1. That in violation of the Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/030.05, General Behavior, on or about August 24, 2011, you failed to perform to the standards established for your rank as a patrol trained deputy sheriff and/or [redacted]

when you failed to ensure that accurate statements and an account of the arrest of [redacted] were properly recorded in an arrest report documented by your [redacted] Deputy James Nicoles, (Sheriff's Uniform Report Number 911-08976-1696-181), and/or triggered false and/or inaccurate information to be documented in the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181), and/or failed to review and/or correct the work product of your [redacted] Deputy James Nicoles, as evidenced by, but not limited to:

a. admitting in your administrative interview that you failed as Deputy James Nicoles' [redacted] and you failed at doing your job as a [redacted] and/or words to that effect; and/or,

b. admitting in your administrative interview that you failed to appropriately review Deputy James Nicoles' report, and ensuring that the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) was accurate and written properly, and/or words to that effect. Your failure to review Deputy James Nicoles' report resulted in Deputy James Nicoles submitting an arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) which Deputy James Nicoles admitted contained false and inaccurate information and which Deputy James Nicoles testified to as being true and accurate in Los Angeles Superior Court (Case #TA119667) on January 10, 2012. As a result, both you and Deputy James Nicoles became the subject of a criminal investigation for False Statements in a Crime Report (118.1 PC) and Deputy James Nicoles also for Perjury (118 PC), which was submitted to the Los Angeles County District Attorney's Office (Sheriff's Uniform Report Number 912-00037-2003-441).

Your conduct, based on your own admission, brought undue embarrassment and/or damaged the reputation of the Department in that court officers and the District Attorney's Office became aware of the false information in the arrest report (Sheriff's Uniform Report Number 912-00037-2003-441) and Deputy James Nicoles' false testimony. You brought discredit to yourself and/or the Department.

4. Deputy Love further agrees and understands that he will not be able to apply, or be assigned to a [redacted] Officer position again at any time during his employment with the Sheriff's Department.

5. Both parties agree and understand that Deputy Love's records will reflect that a fifteen (15) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline".

6. Deputy Love, upon execution of this Agreement, shall waive any and all future administrative and/or judicial remedies involving, arising from, connected to, or pertaining to the suspension, bonus removal and transfer. This waiver shall include, but not be limited to: appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission; and/or any charge, complaint or claim to the Equal Employment Opportunity Commission, Department of Fair Employment & Housing, any other administrative agency, and/or to any state or federal court of law.

7. The parties further agree that this settlement shall not be considered, cited or used in past, present, or future disputes involving as establishing past precedent or past employment practice; whether such disputes are made before administrative agencies, judicial agencies, or internal departmental units. This Agreement resolves the dispute between Deputy Love and the Department, and is not to be applied to any other facts or disputes.

8. In consideration of the terms and conditions set forth herein, Deputy Love agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Deputy Love concerning the subject matter referred herein.

9. Each party hereto represents and agrees that he or it has carefully read and fully understands all of the provisions of the Agreement, and that he or it is voluntarily, without any duress or undue influence on the part of or on behalf of any party, entering into this Agreement.

10. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy or facsimile transmission of the Agreement, including signatures, shall be deemed to constitute evidence of the Agreement having been executed.

11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this Agreement.

12. The parties agree that the foregoing comprises the entire Agreement between the parties and that there have been no other promises made by any party. Any modification of this Agreement must be in writing.

I have read the foregoing Settlement Agreement and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Brandon Love, #[redacted] 2/21/14
Deputy Sheriff Date

As to Form Only:

for 2/19/14
William J. Hadden, Esq. Date
Silver, Hadden, Silver, Wexler & Levine, APC

For the Department:

2/24/14
MICHAEL J. ROTHANS, CHIEF Date
SOUTH PATROL DIVISION



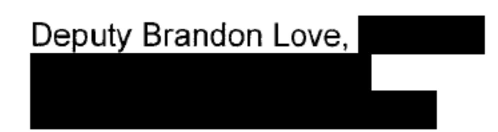
JOHN L. SCOTT, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



March 27, 2014

Deputy Brandon Love, [redacted]



Dear Deputy Love:

On October 15, 2013, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2308834. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline. You are hereby notified that pursuant to a settlement agreement between you and this Department dated February 24, 2014, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of fifteen (15) days, effective March 31, 2014 through April 14, 2014.

You are also hereby notified that you will be removed from your Bonus I position of Deputy Sheriff, Item No. 2708A, and will be transferred to Lakewood Station effective at the close of business on February 28, 2014.

An investigation under File Number IAB 2308834, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/100.35, False Information in Records; and/or 3-01/005.10, Responsibility for Documentation; and/or 3-01/030.05, General Behavior, on or about August 24, 2011, you failed to perform to the standards established for your rank as a patrol trained deputy sheriff and/or [redacted] officer when you failed to ensure that accurate

A Tradition of Service

statements and an account of the arrest of [redacted] were properly recorded in an arrest report documented by your [redacted] Deputy James Nicoles, (Sheriff's Uniform Report Number 911-08976-1696-181), and/or triggered false and/or inaccurate information to be documented in the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181), and/or failed to review and/or correct the work product of your subordinate Deputy James Nicoles, as evidenced by, but not limited to:

[redacted]

b. admitting in your administrative interview that you failed to appropriately review Deputy James Nicoles' report, and ensuring that the arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) was accurate and written properly, and/or words to that effect. Your failure to review Deputy James Nicoles' report resulted in Deputy submitting an arrest report (Sheriff's Uniform Report Number 911-08976-1696-181) which Deputy James Nicoles admitted contained false and inaccurate information and which Deputy James Nicoles testified to as being true and accurate in Los Angeles Superior Court (Case #TA1199667) on January 10, 2012. As a result, both you and Deputy James Nicoles became the subject of a criminal investigation for False Statements in a Crime Report (118.1 PC) and Deputy James Nicoles also for Prejury (118 PC), which was submitted to the Los Angeles County District Attorney's Office (Sheriff's Uniform Report Number 912-00037-2003-441).

Your conduct, based on your own admission, brought undue embarrassment and/or damaged the reputation of the Department in that court officers and the District Attorney's Office became aware of the false information in the arrest report (Sherif's Uniform Report Number 912-00037-2003-441) and Deputy James Nicoles' false testimony. You brought discredit to yourself and/or the Department.

Deputy Love further agrees and understands that he will not be able to apply, or be assigned to a Field Training Officer position again at any time during his employment with the Sheriff's Department.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference."

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JOHN L. SCOTT, SHERIFF

MICHAEL J. ROTHANS, CHIEF
SOUTH PATROL DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules {when applicable}.

MJR:AEA:bs

c: Advocacy Unit
Michael J. Rothans, Chief, South Patrol Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Lakewood Station/unit Personnel File